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Daniel Bennett
Secretary

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Minutes

Board of Elevator Regulations
One Ashburton Place, 13th Floor, Room 1301
March 15, 2016 - 1:00PM

Board Members Present:

Stephen Sampson
Cheri Davis
Harold J. McGonagle
David Gaudet
Thomas Riley

Guest Present:

Yoryos Yeracaris (61 Beacon Condo Trust)
Suzanne Moskal (ABL Reaty LLC)
Erica Daigneault (Wheelabrator Millbury)
John Synder (Hearings Officer)
Martha Bien-Aime (DPS)

Board Members Absent:

John O'Donoghue
Michael J. Nicoloro Jr.
David Morgan

1. The Board of Elevator Regulations ("Board") approved the Meeting Minutes for March 1, 2016 as amended. A motion was put forth by Cheri Davis and seconded by David Gaudet.
Vote: 4-0; **Abstain:** Harold McGonagle.

The Board discussed the following:

2. **61 Beacon Street – Boston, MA**
(1-P-695)

524 CMR 17.07

Owner: 61 Beacon Street condominium Trust

Petitioner: Yoryos Yeracaris

The petitioner came before the Board seeking variance and relief from an inspector's report for 524 CMR 17.07, with regard glass panes in the elevator's doors that may be unsafe for child in that unit. The Board Citates 17.07 (10) (c). A motion was put forth by Harold J. McGonagle to put the case on hold for 2 months (May 16, 2016), so that the petitioner may furnish the Board with more information regarding this materiel. The motion was seconded by David Gaudet.

Motion by: Harold J. McGonagle

Seconded by: David Gaudet

Vote: 5-0; Place on Hold

3. 385 West Central St. – Franklin, MA

(101-P-78)

524 CMR 17.34(2)

Owner: ABL Realty LLC

Petitioner: Suzanne Moskal

The petitioner came before the Board seeking variance from 524 CMR 17.34(2) code. The main line disconnect is not on the lock jam side of machine room door. The petitioner states that the main line disconnect is safer where it is and will interfere with the door utility room if changed. The 524 CMR 2.264, 524 CMR 35.3.26.4 have been cited. The Board proposed to go back to DPS archives to see if any variance has been granted for that property from back to 2002 and notify the petitioner what is on file. The Board requested more information from the petitioner, as pictures, that can help them grant the variance. The case has been put on hold for 30 days. A motion was put forth by David Gaudet. The motion was seconded by Harold McGonagle.

Motion: David Gaudet

Seconded by: Harold McGonagle

Vote: 5-0; Placed on Hold

331 Southwest Cutoff Road-Millbury, MA

(186-F-14)

Owner: Wheelabrator Millbury

Petitioner: Erica Daigneault

The petitioner came before the Board requesting a variance from 2.11.4b. The inspection fail in that unit from firefighter service not working properly in machine room. The case has been granted. A motion was put forth by David Gaudet to allowed the variance for code applicable to fire service phase 1 by the recommendation of Richard P. Anderson fire Chief town of Millbury. The motion was seconded by Thomas Riley.

Motion: David Gaudet

Seconded by: Thomas Riley

Vote: 5-0; Granted

Matters not reasonably anticipated 48 hours in advance of meeting

Exhibit List:

Exhibit 1: Meeting minutes from March 1, 2016,

Exhibit 1: Variance Petition – 61 Beacon Street – Boston, MA

Exhibit 2: Variance Petition – 835 West Central Street – Franklin, MA

Exhibit 3: Variance Petition – 331 Southwestern Cutoff – Millbury, MA

Motion to adjourn by: Cheri Davis, Seconded by: Thomas Riley

Hearing Concluded at 3:05 p.m.

Prepared by: Martha Bien-Aime